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Application Number

10/748,829

Filing Date

December 29, 2003

First Inventor

Weidong Yang

Confirmation No.

Unknown

Group Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket No.

NAN066 US

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard PTO Form 1449 (2 pages) 13 Cited References
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
or  
Individual Name

Michael J. Halbert (Reg. No. 40,633)  
Silicon Valley Patent Group LLP  
2350 Mission College Boulevard, Suite 360  
Santa Clara, California 95054

Signature

Date

3-15-04

## CERTIFICATE OF MAILING BY "FIRST CLASS"

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below date.

Michael J. Halbert

March 15, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Weidong Yang; Roger R. Lowe-Webb; Silvio J. Rabello  
Assignee: Nanometrics Incorporated  
Title: Local Process Variation Correction for Overlay Measurement  
Serial No.: 10/748,829 Filing Date: December 29, 2003  
Examiner: Unknown Group Art Unit: Unknown  
Docket No.: NAN066 US Confirmation No: Unknown

Santa Clara, California  
March 15, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(b)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, the Applicants submit for consideration in the above-identified patent application the documents listed on the accompanying Form PTO-1449. Copies of documents numbered 1-19 are not attached hereto, because these documents are issued patents which are readily available in the U.S. Patent and Trademark Office. Copies of documents numbered 20-31 are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted pursuant to 37 CFR §1.97(b) as it within three months of the filing date of a national application other than a continued prosecution application and/or before the mailing of a first Office Action on the merits. Accordingly, no fee is required. If a fee is required, the undersigned hereby authorizes the Commissioner to charge any required fee to Deposit Account Number 50-2263.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

**In addition, Applicants submit for the Examiner's consideration the following list of co-pending and co-owned applications, cited by serial number, first named inventor and filing date.**

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	<b>Serial No.:</b>	<b>First Named Inventor</b>	<b>Date:</b>
1.	10/116,863	Weidong Yang	Apr. 4, 2002
2.	10/116,964	Weidong Yang	Apr. 4, 2002
3.	10/116,798	Weidong Yang	Apr. 4, 2002
4.	10/116,855	John D. Heaton	Apr. 4, 2002
5.	10/261,547	Weidong Yang	Sep. 30, 2002
6.	10/422,232	Blaine R. Spady	Apr. 23, 2003
7.	09/960,892	Roger R. Lowe-Webb	Sep. 20, 2001

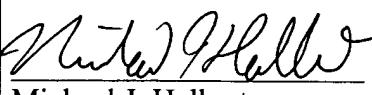
The Applicants presume that the Examiner has access to and will review the co-pending applications and the files thereof for any office actions, amendments or other materials that may be relevant to the patentability of the claims of the present application. For any such U.S. patent application(s) that are currently pending, the Applicants further presume that the Examiner will consider any future office actions, amendments or other materials in the file thereof that may be relevant to the patentability of the claims herein. **If the Applicants' understanding in this regard is not correct, please notify the undersigned so that copies of any such documents can be submitted to the Examiner with the necessary precautions so that the file may be expunged of any proprietary information that is considered unimportant to a reasonable examiner.**

All of the co-pending applications in the above list are unpublished. Applicants do not believe that it is proper for any of the listed applications to appear on the face of a patent that may issue from the present application, and accordingly, Applicants have not listed these applications on a PTO-Form 1449.

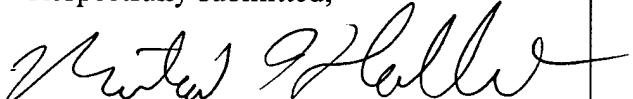
The information contained in this Information Disclosure Statement under 37 C.F.R. §1.555 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

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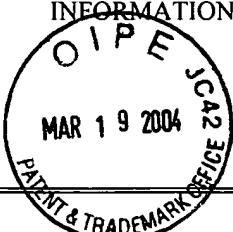
 3-15-04  
Michael J. Halbert      Date

Respectfully submitted,



Michael J. Halbert  
Attorney for Applicants  
Reg. No. 40,633

## U.S. Department of Commerce, Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT BY APPLICANT  
(Use several sheets if necessary)

Application No.:	10/748,829
Filing Date:	December 29, 2003
First Named Inventor:	Weidong Yang
Group Art Unit:	Unknown
Examiner Name:	Unknown
Confirmation No.:	Unknown
Attorney Docket No.:	NAN066 US

## U.S. Patent Documents

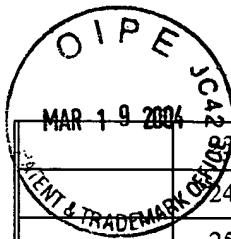
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
1.	5,214,492	25-May-93	LoBianco et al.	356	400	8/2/1991
2.	5,216,257	Jun. 1, 1993	Brueck et al.	250	548	7/9/1990
3.	5,307,152	Apr. 26, 1994	Boehlein et al.	356	376	9/29/1992
4.	5,559,601	Sep. 24, 1996	Gallatin et al.	356	363	1/24/1994
5.	5,805,290	Sep. 8, 1998	Ausschnitt et al.	356	401	5/2/1996
6.	5,969,819	Oct. 19, 1999	Wang	356	371	6/5/1997
7.	6,077,756	Jun. 20, 2000	Lin et al.	438	401	4/24/1998
8.	6,084,712	Jul. 4, 2000	Harding	359	618	11/3/1998
9.	6,130,750	Oct. 10, 2000	Ausschnitt et al.	356	401	8/28/1997
10.	6,407,396	Jun. 18, 2002	Mih et al.	250	491.1	6/24/1999
11.	6,429,930	Aug. 6, 2002	Littaue et al.	356	124	9/6/2000
12.	US 2002/0135875	Sep. 26, 2002	Niu et al.	359	564	2/27/2001
13.	US 2002/0158193	Oct. 31, 2002	Sezginer et al.	250	237	2/12/2001
14.	US 2003/0002043	Jan. 2, 2003	Abdulhalim et al.	356	400	4/10/2001
15.	US 2003/0042579	Mar. 6, 2003	Schulz	257	629	8/30/2001
16.	US 2003/0043372	Mar. 6, 2003	Schulz	356	327	8/30/2001
17.	US 2003/0043375	Mar. 6, 2003	Opsal	356	369	8/28/2001
18.	US 2003/0044702	Mar. 6, 2003	Schulz	430	30	8/30/2001
19.	US 2003/0223630	Dec. 4, 2003	Adel et al.	382	145	02/13/2003

## Foreign Patent Documents

						Translation	
	Document	Date	Country	Class	Subclass	Yes	No
20.	WO 01/84382 A1	Nov. 8, 2001	PCT	G06F	17/50	5/4/2000	
21.	WO 02/065545 A2	Aug. 22, 2002	PCT	H01L	21/66	2/12/2001	
22.	WO 02/069390 A2	Sep. 6, 2002	PCT	H01L	21/66	2/27/2001	

Examiner	Date Considered
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\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.



	WO 02/084213 A1	Oct. 24, 2002	PCT	G01B	Nov-00	4/10/2001	
24.	WO 02/25723 A2	Mar. 28, 2002	PCT	H01L	21/66	9/19/2000	
25.	WO 04/008068 A1	Jan. 22, 2004	PCT	G01B	11/27	10/26/01	

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	26.	Bischoff, J. et al., "Light Diffraction Based Overlay Measurement" <i>Proceedings of SPIE</i> , Vol. 4344 (2001) Pages 222-233
	27.	Michaelis, A. et al., "Spectroscopic Anistropy Micro-Ellipsometry (SAME) for determiniation of lateral and vertical dimensions of sub-micron lithographic structures" IEEE Catalog Number 99TH8453 (1999) Pages 131-134
	28.	NanoWave:Technology/development tools, <a href="http://www.nanowave.com/technology_applications/tech_devtoolsPR.html">http://www.nanowave.com/technology_applications/tech_devtoolsPR.html</a> , 2 pages, downloaded April 9, 2002.
	29.	NanoWave:Technology/how it works, <a href="http://www.nanowave.com/technology_applications/tech_HIWPR.html">http://www.nanowave.com/technology_applications/tech_HIWPR.html</a> , 3 pages, downloaded April 9, 2002.
	30.	NanoWave:Technology/product design, <a href="http://www.nanowave.com/technology_applications/tech_designPR.html">http://www.nanowave.com/technology_applications/tech_designPR.html</a> , 4 pages, downloaded April 9, 2002.
	31.	D.C. Flanders & Henry I. Smith, "A new interferometric alignment technique <sup>a</sup> ", Applied Physics Letters, Vol. 31, No. 7, 1 October 1977, pp. 426-428

Examiner                      Date Considered

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.